

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
EXECUTIVE OFFICE OF THE MAYOR
MAYOR'S OFFICE OF LEGAL COUNSEL
Freedom of Information Act Appeal: 2015-49**

March 17, 2015

Mr. Gerald Malloy

RE: FOIA Appeal 2015-49

Dear Mr. Malloy:

I am writing in response to your letter dated February 19, 2015, to the Mayor requesting that action be taken against the Metropolitan Police Department ("MPD"), the Department of Corrections ("DOC"), the Superior Court of the District of Columbia, and Howard University Hospital because these entities failed to respond to requests you submitted to them under the District of Columbia Freedom of Information Act, D.C. Official Code § 2-531 ("DC FOIA").

In accordance with D.C. Official Code § 2-537, the Mayor reviews appeals under DC FOIA for decisions issued by District agencies. The Superior Court of the District of Columbia and Howard University Hospital are not District agencies, therefore we are unable to address the document requests you sent to them.

As for the MPD and the DOC, a District agency has fifteen (15) business days to respond to a request submitted under the DC FOIA and may invoke an extension of an additional ten (10) business days in certain circumstances. *See* D.C. Official Code § 2-532(c) and (d). The MPD received your request on March 3, 2015, and is therefore still within the statutory timeframe to respond. The DOC received your request on February 19, 2015, and sent you responsive documents on March 12, 2015. Since the DOC has responded to your request and the MPD's response is pending, your appeal is hereby dismissed without prejudice; provided, that you may assert any challenges to the responses of the DOC and the MPD by separate appeal.

Sincerely,

/s/ Melissa C. Tucker

Melissa C. Tucker
Associate Director
Mayor's Office of Legal Counsel

cc: Ronald Harris, Esq., MPD (via email)